



DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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September 5, 1990

Mrs. Bill Jones
Scofield Route
Helper, UT 84526

Dear Mrs. Jones:

Re: Protest

I am writing in response to your letter of August 20, 1990. I found the protest which you described to me over the phone, which was filed by Phillip V. Christensen in behalf of John B. Jones concerning a Price River Adjudication.

I mailed a copy of that protest to Mark Page, our Area Engineer in Price. Mark and I have discussed the protest and the current method of distributing water on the river. The following are our conclusions:

In Paragraph 5, the protest alleges that Mae Nicolodemas (91-3622) and Tom Biggs (91-2983) should not have a water right in the ditch that runs through Scofield Town. However, we have Water User's Claims to represent their rights and they are part of the Morse Decree, First Class right with a 1874 priority. This is equal to the priority which your right (91-2991) has. There are a total of 15 different water rights that have been adjudicated and use the same diversion as you do.

Therefore, we believe we are distributing the water as it should be and according to the Morse Decree. If you are not satisfied with our determination of this issue, you should proceed with a civil suit which would draw the matter into court for a solution. This should probably be more timely than waiting for the adjudication to be completed.

Sincerely,

Lee H. Sim, P. E.

Directing Engineer for
Adjudication/Distribution

LHS:bd

Mark Page, Area Engineer for Price Office